

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

PAULINO LOPEZ,
Appellant.

No. 2 CA-CR 2019-0236
Filed June 23, 2020

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
NOT FOR PUBLICATION
See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.19(e).

Appeal from the Superior Court in Cochise County
No. S0200CR201800989
The Honorable James L. Conlogue, Judge

AFFIRMED

COUNSEL

Cochise County Office of the Legal Advocate, Bisbee
By Xochitl Orozco
Counsel for Appellant

STATE v. LOPEZ
Decision of the Court

MEMORANDUM DECISION

Judge Brearcliffe authored the decision of the Court, in which Presiding Judge Staring and Chief Judge Vásquez concurred.

B R E A R C L I F F E, Judge:

¶1 After a jury trial, Paulino Lopez was convicted of possession of methamphetamine and possession of marijuana.¹ The state proved Lopez had committed two historical prior felony convictions and the trial court sentenced him to concurrent, minimum, enhanced prison terms, the longer of which is eight years. Counsel filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297 (1969), asserting she has reviewed the record but found “no arguable question of law that is not frivolous” and asking this court to review the record for reversible error. Lopez has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the jury’s verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2 (App. 1999), the evidence at trial was sufficient to support the jury’s findings of guilt. *See* A.R.S. §§ 13-105(11), 13-3401(6)(c)(xxxviii), 13-3405(A)(1), (B)(1), 13-3407(A)(1), (B)(1). Sufficient evidence supports the jury’s findings that on October 11, 2018, a police officer responded to a call at a home in Sierra Vista; Lopez informed the officer he lived there and told him there was marijuana in his bedroom and that he did not possess a medical marijuana card. Pursuant to a search warrant, the officer found, inter alia, .38 grams of marijuana in Lopez’s bedroom and 1.17 grams of methamphetamine in a dresser located between Lopez’s bedroom and bathroom. Sufficient evidence also supports the trial court’s finding that Lopez had two historical prior felony convictions. *See* A.R.S. § 13-105(22)(c). And, Lopez’s sentences are within the statutory limits and were lawfully imposed. *See* A.R.S. § 13-703(C), (J).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for reversible error and found none. Therefore, we affirm Lopez’s convictions and sentences.

¹The trial court declared a mistrial on the prohibited possessor count and the jury acquitted Lopez of possession of drug paraphernalia.